IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO.2686 OF 2002

IN THE MATTER OF:

Ramlakhan Sahu,
S/o Late Sh. Budhu Ram sahu,
Aged about 61 years,
R/o Kalyanpur,
P.O. – Deonagar,
Distt. Surguja , [C.G.] PETITIONER

P. R. No. 2953/02
Presented by Shri Prit. Budhia
dated 16.12.02

VERSUS

1. STATE OF CHHATTISGARH
   THROUGH
   SCHOOL EDUCATION DEPARTMENT
   D.K.S. BHAWAN
   RAIPUR [C.G.]
2. ADDITIONAL SECRETARY
   SCHOOL EDUCATION DEPARTMENT
   STATE OF CHHATTISGARH
   RAIPUR RESPONDENTS

PETITION UNDER ARTICLE 226 /227 OF THE CONSTITUTION OF INDIA

THE PETITIONER ABOVENAMED MOST RESPECTFULLY STATES AS UNDER:

उच्च न्यायालय, खण्डपीठ, बिलासपुर

मामला क्रमांक W.P. 2688 वर्ष 2006

(आदेश पत्रक) (पूर्वानुवर्ती)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश	कार्यालय टिप्पणी

03.10.2006

No one appears on behalf of the petitioner when the matter is called out.

Shri Sandeep Yadav, Dy. Government Advocate appears for the State/respondents.

Arguments hear.

Order dictated as follows:

ORAL ORDER
(03.10.2006)

By way of this writ petition, filed under Article 226/227 of the Constitution of India, the petitioner had challenged the validity of his transfer order dated 24.9.2002, passed by respondent No.2 (Annexure P-1), by which he was transferred from Primary School Bharua Munda, District Sarguja(C.G.) to the office of District Education Officer, Ramanujganj, District Sarguja(C.G.).

The order has been shown to be issued on the administrative grounds. Along with the petitioner, 3 other persons have also been transferred by the aforesaid common order. It has been mentioned in the petition that the petitioner, who was aged about 61 years on the date of filing of the petition, was left with only 1 year and 3 months of his service and in the said situation, it was prayed that the order of transfer should be interfered with an intention to keep the petitioner at the place, where he was working at that time.

P.T.O.

XI-HC-78

(29)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	A reply of the State/respondents has been filed. Referring to Annexure R-2 as well as para 4 of the reply, learned counsel for the State/respondents submits that the petitioner has already retired by now and this petition for quashing of the order of transfer appears to have become infructuous. In view of the above submissions made by learned counsel for the State/respondents that the petitioner has already retired from service, I do not think it necessary to pass any order on merits in this matter. The petition is dismissed as being infructuous on the ground of retirement of the petitioner by efflux of time. **Sd/-** **Sunil Kumar Sinha** **Judge**	

P.T.O.